

### **AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior listings and versions of claims in this application. Please amend claims 53-63, as follows:

1-39. (Canceled)

40. (Previously Presented) A scissor blade for use in an electrosurgical scissors, comprising:

- a mounting portion for pivotally joining the blade with another blade;
- an electrically conductive layer;
- a shearing blade layer having a shearing surface; and
- an electrically non-conductive layer disposed between the electrically conductive layer and the shearing layer,

wherein the non-conductive layer extends to the mounting portion.

41. (Previously Presented) The scissor blade of claim 40, wherein the electrically conductive layer extends to the mounting portion.

42. (Previously Presented) The scissor blade of claim 41, wherein the shearing blade layer extends to the mounting portion.

43. (Previously Presented) The scissor blade of claim 40, wherein the mounting portion includes a hole configured to receive a joining member.

44. (Previously Presented) The scissor blade of claim 40, wherein at least a portion of the scissor blade is curved.
45. (Previously Presented) The scissor blade of claim 40, further comprising a tang.
46. (Previously Presented) The scissor blade of claim 45, wherein the tang is proximal to the mounting portion.
47. (Previously Presented) The scissor blade of claim 45, wherein the non-conductive layer extends to the tang.
48. (Previously Presented) The scissor blade of claim 45, wherein the electrically conductive layer extends to the tang.
49. (Previously Presented) The scissor blade of claim 40, wherein the blade is configured to receive an electrical current.
50. (Previously Presented) The scissor blade of claim 40, wherein the electrically conductive layer is configured to receive an electrical current.
51. (Previously Presented) The scissor blade of claim 40, wherein the non-conductive layer supports the electrically conductive layer and the shearing blade layer.

52. (Previously Presented) A blade for use in an electrosurgical instrument, the blade comprising:
- an inner shearing surface;
  - an intermediate, electrically insulative layer;
  - an outer electrically conductive layer electrically insulated from the inner shearing surface by the insulative layer; and
  - a mounting portion for pivotally mounting the blade with another blade, wherein the insulative layer extends to the mounting portion.
53. (Currently Amended) The ~~scissor~~ blade of claim 52, wherein the outer electrically conductive layer extends to the mounting portion.
54. (Currently Amended) The ~~scissor~~ blade of claim 53, wherein the shearing surface extends to the mounting portion.
55. (Currently Amended) The ~~scissor~~ blade of claim 52, wherein the mounting portion includes a hole configured to receive a joining member.
56. (Currently Amended) The ~~scissor~~ blade of claim 52, wherein at least a portion of the scissor blade is curved.
57. (Currently Amended) The ~~scissor~~ blade of claim 52, further comprising a tang.

58. (Currently Amended) The ~~scissor~~ blade of claim 57, wherein the tang is proximal to the mounting portion.
59. (Currently Amended) The ~~scissor~~ blade of claim 57, wherein the insulative layer extends to the tang.
60. (Currently Amended) The ~~scissor~~ blade of claim 57, wherein the electrically conductive layer extends to the tang.
61. (Currently Amended) The ~~scissor~~ blade of claim 52, wherein the blade is configured to receive an electrical current.
62. (Currently Amended) The ~~scissor~~ blade of claim 52, wherein the electrically conductive layer is configured to receive an electrical current.
63. (Currently Amended) The ~~scissor~~ blade of claim 52, wherein the insulative layer supports the electrically conductive layer and the shearing surface.
64. (Previously Presented) A cutting assembly for an electrosurgical scissors comprising:  
a first blade member and a second blade member, the first blade member comprising:

a cutting layer having a shearing surface;  
an electrically conductive layer; and  
an insulative layer disposed between the cutting layer and the  
conductive layer; and  
a joining member pivotally connecting the first and second blade members so  
as to permit a scissors-like movement of the first and second blade  
members,  
wherein the insulative layer extends to a portion of the first blade member  
that accommodates the joining member.

65. (Previously Presented) The cutting assembly of claim 64, wherein the second blade member is made entirely of a conductive material.
66. (Previously Presented) The cutting assembly of claim 64, wherein the electrically conductive layer extends to the portion of the first blade member that accommodates the joining member.
67. (Previously Presented) The cutting assembly of claim 66, wherein the cutting layer extends to the portion of the first blade member that accommodates the joining member.

- 68. (Previously Presented) The cutting assembly of claim 64, wherein the portion of the first blade member that accommodates the joining member includes a hole configured to receive the joining member.
- 69. (Previously Presented) The cutting assembly of claim 64, wherein at least a portion of the first and second blade members is curved.
- 70. (Previously Presented) The cutting assembly of claim 64, wherein at least one of the first and second blade members comprises a tang.
- 71. (Previously Presented) The cutting assembly of claim 70, wherein the tang is proximal to the portion accommodating the joining member.
- 72. (Previously Presented) The cutting assembly of claim 71, wherein the insulative layer extends to the tang.
- 73. (Previously Presented) The cutting assembly of claim 72, wherein the conductive layer extends to the tang.
- 74. (Previously Presented) The cutting assembly of claim 64, wherein each of the first and second blade members is configured to receive an electrical current.

- 75. (Previously Presented) The cutting assembly of claim 64, wherein the conductive layer is configured to receive an electrical current.
- 76. (Previously Presented) The cutting assembly of claim 64, wherein the insulative layer supports the conductive layer and the cutting layer.
- 77. (Previously Presented) The cutting assembly of claim 64, wherein the joining member includes a pivot pin configured to pivotally join the first and second blade members together.
- 78. (Previously Presented) The cutting assembly of claim 64, wherein the joining member includes an axle screw to which the first and second blade members are pivotally mounted.
- 79. (Previously Presented) The cutting assembly of claim 64, wherein each of the first and second blade members is configured to connect to a voltage applying member for applying a voltage to the first and second blade members.
- 80. (Previously Presented) The cutting assembly of claim 79, wherein the voltage applying member supplies cautery current to the conductive layer.

81. (Previously Presented) The cutting assembly of claim 80, wherein at least one of the first and second blade members includes a tang having a lug for coupling the voltage applying member to the electrically conductive layer.
82. (Previously Presented) The cutting assembly of claim 81, wherein the lug protrudes in a direction substantially perpendicular to the surface of the tang.
83. (Previously Presented) The cutting assembly of claim 64, wherein the insulative layer of the first blade member extends around the portion of the first blade member that accommodates the joining member.
84. (Previously Presented) The cutting assembly of claim 64, wherein the insulative layer supports the cutting layer on a first surface and the conductive layer on a second surface opposite to the first surface.
85. (Previously Presented) The cutting assembly of claim 64, wherein the second blade member comprises:
- a cutting layer having a shearing surface;
  - an electrically conductive layer; and
  - an insulative layer disposed between the cutting layer of the second blade member and the conductive layer of the second blade member,
- wherein the insulative layer of the second blade member extends to a portion of the second blade member that accommodates the joining member.



86. (Previously Presented) The cutting assembly of claim 85, wherein the conductive layer of the second blade member extends to the portion of the second blade member that accommodates the joining member.
87. (Previously Presented) The cutting assembly of claim 86, wherein the cutting layer of the second blade member extends to the portion of the second blade member that accommodates the joining member.
88. (Previously Presented) The cutting assembly of claim 85, wherein the portion of the second blade member that accommodates the joining member includes a hole configured to receive the joining member.
89. (Previously Presented) The cutting assembly of claim 85, wherein the conductive layer of the second blade member is configured to receive an electrical current.
90. (Previously Presented) The cutting assembly of claim 85, wherein the insulative layer of the second blade member supports the conductive layer of the second blade member and the cutting layer of the second blade member.
91. (Previously Presented) The cutting assembly of claim 85, wherein the insulative layer of the second blade member extends around the portion of the second blade member that accommodates the joining member.

92. (Previously Presented) The cutting assembly of claim 85, wherein the insulative layer of the second blade member supports the cutting layer of the second blade member on a first surface and the conductive layer of the second blade member on a second surface opposite to the first surface.
93. (Previously Presented) An electrosurgical instrument for cutting and coagulating tissue, comprising:
- an elongated tubular member having a proximal end, a distal end, and a lumen extending therebetween;
  - a handle proximate the proximal end of the tubular member;
  - a cutting member proximate the distal end of the tubular member, the cutting member comprising:
    - a first blade member and a second blade member, the first blade member comprising:
      - a cutting layer having a shearing surface;
      - an electrically conductive layer; and
      - an insulative layer disposed between the cutting layer and the conductive layer; and
    - a joining member pivotally connecting the first and second blade members so as to permit a scissors-like movement of the first and second blade members, wherein the insulative layer extends to a

portion of the first blade member that accommodates the joining member; and

a control member extending through the lumen between the handle and the cutting member, wherein movement of the handle imparts a scissors-like movement to at least one of the first and second blade members relative to each other.

94. (Previously Presented) The instrument of claim 93, wherein the control member comprises a push rod.
95. (Previously Presented) The instrument of claim 93, wherein the second blade member is made entirely of a conductive material.
96. (Previously Presented) The instrument of claim 93, wherein the electrically conductive layer extends proximally to the portion of the first blade member that accommodates the joining member.
97. (Previously Presented) The instrument of claim 96, wherein the cutting layer extends proximally to portion of the first blade member that accommodates the joining member.

98. (Previously Presented) The instrument of claim 93, wherein the portion of the first blade member that accommodates the joining member includes a hole configured to receive the joining member.
99. (Previously Presented) The instrument of claim 93, wherein at least a portion of the first and second blade members is curved.
100. (Previously Presented) The instrument of claim 93, wherein at least one of the first blade member includes a tang.
101. (Previously Presented) The instrument of claim 100, wherein the tang is proximal to the portion accommodating the joining member.
102. (Previously Presented) The instrument of claim 101, wherein the insulative layer extends proximally to the tang.
103. (Previously Presented) The instrument of claim 102, wherein the conductive layer extends proximally to the tang.
104. (Previously Presented) The instrument of claim 93, wherein each of the first and second blade members is configured to receive an electrical current.

105. (Previously Presented) The instrument of claim 93, wherein the conductive layer is configured to receive an electrical current.
106. (Previously Presented) The instrument of claim 93, wherein the insulative layer supports the conductive layer and the cutting layer.
107. (Previously Presented) The instrument of claim 93, wherein the joining member includes a pivot pin configured to pivotally join the first and second blade members together.
108. (Previously Presented) The instrument of claim 93, wherein the joining member includes an axle screw to which the first and second blade members are pivotally mounted.
109. (Previously Presented) The instrument of claim 93, wherein each of the first and second blade members is configured to connect to a voltage applying member for applying a voltage to the first and second blade members.
110. (Previously Presented) The instrument of claim 109, wherein the voltage applying member supplies cautery current to the conductive layer.

111. (Previously Presented) The instrument of claim 110, wherein at least one of the first and second blade members includes a tang having a lug for coupling the voltage applying member to the electrically conductive layer.
112. (Previously Presented) The instrument of claim 93, wherein the insulative layer of the first blade member extends around the portion of the first blade member that accommodates the joining member.
113. (Previously Presented) The instrument of claim 93, wherein the insulative layer supports the cutting layer on a first surface and the conductive layer on a second surface opposite to the first surface.
114. (Previously Presented) The instrument of claim 93, wherein the second blade member comprises:
- a cutting layer having a shearing surface;
  - an electrically conductive layer; and
  - an insulative layer disposed between the cutting layer of the second blade member and the conductive layer of the second blade member,
- wherein the insulative layer of the second blade member extends to a portion of the second blade member that accommodates the joining member.

115. (Previously Presented) The instrument of claim 114, wherein the conductive layer of the second blade member extends proximally to the portion of the second blade member that accommodates the joining member.
116. (Previously Presented) The instrument of claim 115, wherein the cutting layer of the second blade member extends proximally to the portion of the second blade member that accommodates the joining member.
117. (Previously Presented) The instrument of claim 114, wherein the portion of the second blade member that accommodates the joining member includes a hole configured to receive the joining member.
118. (Previously Presented) The instrument of claim 114, wherein the conductive layer of the second blade member is configured to receive an electrical current.
119. (Previously Presented) The instrument of claim 114, wherein the insulative layer of the second blade member supports the conductive layer of the second blade member and the cutting layer of the second blade member.
120. (Previously Presented) The instrument of claim 114, wherein the insulative layer of the second blade member extends around the portion of the second blade member that accommodates the joining member.

121. (Previously Presented) The instrument of claim 114, wherein the insulative layer of the second blade member supports the cutting layer of the second blade member on a first surface and the conductive layer of the second blade member on a second surface opposite to the first surface.